

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Group Art Unit: 1754
Examiner: T. Vanoy

In re Patent Application of:

Applicants : Nilo FAGIOLINI et al.)
Appln. No. : 09/423,746)
Filed : November 15, 1999) **SECOND AMENDMENT**
For : REACTIVE POWDER COMPOSITION) **AFTER FINAL**
Atty. Dkt. : 32232-152197)

Assistant Commissioner for Patents
Washington, D.C. 22031

Sir:

This paper is presented in response to the Office Action of May 1, 2002 and is substantially identical to that submitted on September 3, 2002, but differs in transcription of the clean copy of amended Claim 1. (Because of fees, it is being filed regularly with a courtesy copy to the Examiner.)

Amendment of Claim 1 [marked-up version] of the September 3, 2002 AMENDMENT legally purported to include the limitations of Claim 3 into Claim 1. Accordingly, in a substantive sense, the amendment raised no new issues [as such an amendment is tantamount to rewriting Claim 3 in the independent form.] In the Advisory Action of September 13, 2002 [Paper No. 21], the Examiner indicated non-entry of the September 3, 2002 Amendment on the grounds that the clean copy of amended Claim 1 contained a transcription error. Accordingly,

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OK to enter for Sept. 23, 2002